

REMARKS

In the office action mailed July 18, 1997, claims 1-11, 16-22, and 26-33 have been rejected under 35 U.S.C. 102(b) as being anticipated by Dedrick, and claims 13, 14, 24, 25, 34, 35, and 36 have been rejected under 35 U.S.C. 103 as being unpatentable over Dedrick. Claims 12, 15, 23, and 37 have been indicated to be allowable if rewritten in independent form to include all of the limitations of their respective base claims and any intervening claims.

In response to the office action, applicant has amended independent claims 1, 16, and 27 to recite that the records that are accumulated in applicant's communication system indicate the time that a user starts receiving an audio and/or visual selection and the time that the user stops receiving the audio and/or visual selection. Support for these claims is found for example at page 5, lines 24-37, page 27, lines 19-27 (including discussion of FIGS. 8B and 8C), and page 29, line 35 - page 30, line 7 of applicant's specification.

New independent claim 38 is a combination of the subject matter of claims 1 and 12 as originally filed. Similarly, new independent claim 39 is a combination of the subject matter of claims 16 and 23 as originally filed. Since the Examiner has indicated claims 12 and 23 to be allowable if rewritten in independent form to include all of the limitations of their respective base claims and any intervening claims, applicant respectfully submits that claims 38 and 39 are in condition for allowance.

New independent claims 40-43 have been added to more particularly point out that the accumulated records indicate the elapsed time that a user has received an audio and/or visual selection. Support for these claims is found for example at page 5, lines 24-37, page 27, lines 19-27 (including discussion of FIGS. 8B and 8C), and page 29, line 35 - page 30, line 7 of applicant's specification.


New dependent claims 43-48 have been added to more particularly point out that the accumulated records indicate which users received specific information or selections.

Support for these claims is found for example at page 13, lines 32-36 and page 27, lines 19-24 of applicant's specification.

Finally, new dependent claims 49-51 have been added to more particularly point out that, in one of applicant's novel embodiments, a first stream of information or data packets is received and stored at the user at a first time, and is inserted into subsequent streams of information or data packets that are received at the user at a number of later times. Support for these claims is found for example at page 14, lines 8-12 of applicant's specification.

Enclosed is a copy of a Search Report that the applicant has recently received in connection with its copending PCT application no. PCT/US97/07893. Also enclosed is an Information Disclosure Statement listing several references. Applicant submits that none of the references of record disclose or render obvious applicant's invention as presently claimed. Accordingly, applicant believes that all of the claims are now in condition for allowance and respectfully requests the Examiner to pass the subject application to issue.

Respectfully submitted,


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Enclosure